



BOARD/COMMISSION RECOMMENDATION

Human Rights Commission

Recommendation Number: 20170123-05b: Condemn Certain Discriminatory Conduct by the President and Vice President, and to Ban Official Use of Trump Products and Services

WHEREAS, the City of Austin Human Rights Commission advocates on behalf of human rights including the right to be free from discrimination in employment, housing, and public accommodations, for all people in Austin; and

WHEREAS, the City of Austin has enacted ordinances that extend such protections to prohibiting discriminatory practices and harassment on the basis of, among other things, race, gender (including pregnancy), national origin, religion, disability, sexual orientation, gender identity, and HIV status; and

WHEREAS, the City of Austin prides itself in welcoming people from all walks of life and parts of the world, without regard to any of the factors set forth above, and without regard to any other protected categories; and

WHEREAS, on November 8, 2016, Donald J. Trump and Michael R. Pence were elected President and Vice President of the United States; and

WHEREAS, President Trump has, before and during his presidential campaign and since the November 8 election, made statements and engaged in conduct that either effect or encourage discrimination against and harassment of individuals based on their race, gender, national origin, immigration status, and religion; and

WHEREAS, the conduct engaged in by President Trump includes, but is not limited to, publicly questioning and encouraging others to question the birthplace of the country's first black

President¹; allegedly engaging in discriminatory housing practices targeting black renters²; verbally insulting Mexican immigrants to the United States³; questioning the qualifications and impartiality of an American federal judge because of that judge's Mexican-American heritage⁴; boasting of his unwelcome kissing of women and grabbing of their genitalia without their consent⁵; insulting numerous women with such epithets as "pig," "dog," and "disgusting," and making demeaning and insulting comments about women generally, ⁶ implying that a respected female journalist asked him challenging questions because she was menstruating⁷; using words and gestures to mock a respected journalist with a physical disability; and proposing the forced registration of Muslims in the United States; and

WHEREAS, independent observers of human rights issues around the world, including Human Rights Watch in its *World Report 2017*, have cited to President Trump's conduct, including some of the above-listed actions, as a threat to human rights values⁸; and

¹ See Michael Barbaro, *Donald Trump Clung to 'Birther' Lie for Years, and Still Isn't Apologetic*, N.Y. TIMES, Sep. 16, 2016 (available at https://www.nytimes.com/2016/09/17/us/politics/donald-trump-obama-birther.html?_r=0).

² See Morris Kaplan, *Major Landlord Accused of Antiblack Bias in City*, N.Y. TIMES, Oct. 16, 1973 (available at <http://www.nytimes.com/1973/10/16/archives/major-landlord-accused-of-antiblack-bias-in-city-us-accuses-major.html>).

³ Staff, *Full text: Donald Trump announces a presidential bid.*, WASH. POST, June 16, 2015 (available at https://www.washingtonpost.com/news/post-politics/wp/2015/06/16/full-text-donald-trump-announces-a-presidential-bid/?utm_term=.52d1a7c2aed3).

⁴ See Nina Totenberg, *Who is Judge Gonzalo Curiel, The Man Trump Attacked For His Mexican Ancestry?*, NPR, June 7, 2016 (available at <http://www.npr.org/2016/06/07/481140881/who-is-judge-gonzalo-curiel-the-man-trump-attacked-for-his-mexican-ancestry>).

⁵ See David A. Fahrenthold, *Trump recorded having extremely lewd conversation about women in 2005*, WASH. POST, Oct. 8, 2016 (available at https://www.washingtonpost.com/politics/trump-recorded-having-extremely-lewd-conversation-about-women-in-2005/2016/10/07/3b9ce776-8cb4-11e6-bf8a-3d26847eed4_story.html?utm_term=.ede0fdd0f705).

⁶ See Jannell Ross, *So which women has Donald Trump called 'dogs' and 'fat pigs'?*, WASH. POST, Aug. 8, 2015 (available at https://www.washingtonpost.com/news/the-fix/wp/2015/08/08/so-which-women-has-donald-trump-called-dogs-and-fat-pigs/?utm_term=.0fb1856fdad3).

⁷ See Philip Rucker, *Trump says Fox's Megyn Kelly had 'blood coming out of her wherever'*, WASH. POST, Aug. 8, 2015 (available at https://www.washingtonpost.com/news/post-politics/wp/2015/08/07/trump-says-foxs-megyn-kelly-had-blood-coming-out-of-her-wherever/?utm_term=.1f5e362bafcb).

⁸ Human Rights Watch, *World Report 2017* (available at <https://www.hrw.org/world-report/2017>).

WHEREAS, Vice President Pence has, consistently throughout his career, made statements and engaged in conduct that either effect or encourage discrimination against and harassment of individuals based on their gender, sexual orientation, gender identity, and HIV status; and

WHEREAS, the conduct engaged in by Vice President Pence includes, but is not limited to, claiming that marriage equality would bring about “societal collapse”⁹; as Governor of Indiana, signed into law Indiana Senate Bill 101, which targeted the LGBT community for discrimination under the guise of “religious freedom”¹⁰; stated his opposition to women in both the workplace generally and the military specifically¹¹, and claimed that working mothers “stunt[ed]” their children’s “emotional development”¹²; supported numerous onerous restrictions on women’s reproductive liberty¹³; and supported the stripping of federal funds from HIV research and redirection of those funds to so-called conversion therapy for gay and lesbian Americans¹⁴; and

WHEREAS, such conduct by President Trump and Vice President Pence is inconsistent with the City of Austin’s policies and practices regarding human rights, and the City’s spirit of openness and welcoming toward all persons.

NOW, THEREFORE, BE IT RESOLVED that the City of Austin Human Rights Commission (1) recommends that the Austin City Council issue a public statement officially condemning the aforementioned conduct by President Trump and Vice President Pence as a violation of both the law and spirit of the City of Austin’s human rights ordinances, and (2) asks that Mayor Adler address a letter to the President and Vice President notifying them of such condemnation; and

⁹ 152 CONG. REC. H14796 (July 18, 2006) (statement of Rep. Pence).

¹⁰ S.B. 101, 119th Assembly, 2015 Sess. (Ind. 2015) (available at <https://iga.in.gov/legislative/2015/bills/senate/101#document-92bab197>).

¹¹ Kristen Bellstrom, *Mike Pence Used Disney’s ‘Mulan’ to Argue that Women Shouldn’t Serve in the Military*, FORTUNE, Jul. 18, 2016 (available at <http://fortune.com/2016/07/18/mike-pence-mulan-women-military/>).

¹² Available at <http://i2.cdn.turner.com/cnn/2016/images/07/18/unknown.png>

¹³ See, e.g., H.B. 1337, 119th Assembly, 2016 Sess. (Ind. 2016) (available at <https://iga.in.gov/legislative/2016/bills/house/1337#digest-heading>). Then-Gov. Pence signed this bill into law on March 24, 2016.

¹⁴ Although Vice President Pence’s website for his 2000 Congressional campaign, where such support was stated, is no longer active, the relevant portion of that website remains available via the Internet Archive at <http://web.archive.org/web/20010408125427/http://mikepence.com/issues.html>.

BE IT FURTHER RESOLVED that the City of Austin Human Rights Commission recommends that the Mayor and the Austin City Council boycott all Trump-branded products and services, including all Trump-owned or -branded hotels, resorts, and other, similar properties, in the course of their official city business, until such time as President Trump issues a formal, public apology for the aforementioned conduct, vows to uphold greater integrity and accountability in his and his administration's conduct with regard to human rights, and implements policies aimed at protecting the civil rights of all Americans, consistent with the policies and practices of the City of Austin.

Date of Approval: January 23, 2017

Record of the vote: Motion approved 8-2 on Commissioner Brown's motion, Commissioner Miguez's second. Those voting aye were: Chair Davis, Vice Chair Caballero, Commissioners Avashia, Brown, Casas, Miguez, Normand, and Yang. Those voting nay were: Commissioners Miller and Royall. Commissioner Buls was absent.

Attest: Jonathan Babiak

Jonathan Babiak

Staff Liaison, Human Rights Commission